

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CHARLES E. PHILLIP,	)	
	)	8:10CV397
Plaintiff,	)	
	)	AMENDED
vs.	)	FINAL PROGRESSION ORDER
	)	
IOWA PLAINS SIGNING, INC.,	)	
	)	
Defendant.	)	

This matter is before the court on the parties' Joint Motion for Extension of Trial Date and Corresponding Deadlines ([Filing No. 54](#)). Upon consideration and pursuant to Fed. R. Civ. P. 16, concerning matters of importance in scheduling this case,

**IT IS ORDERED:**

1. The parties' Joint Motion for Extension of Trial Date and Corresponding Deadlines ([Filing No. 54](#)) is granted.

2. **Pretrial Disclosures.**<sup>1</sup> Pursuant to Fed. R. Civ. P. 26(a)(3), **on or before August 3, 2012**, each party shall serve opposing counsel a list of all exhibits it expects to offer at trial, other than solely for impeachment purposes, by providing a numbered listing and permitting examination of such exhibits, designating on the list those exhibits it may offer only if the need arises. Any and all objections to the use of the witnesses, deposition testimony, discovery responses, or exhibits disclosed pursuant to the above subparagraphs, including any objection pursuant to Fed. R. Civ. P. 32(a) that a deponent is available to testify at the trial, shall be made a part of the pretrial order. Failure to list objections (except those under Fed. R. Evid. 402 and 403) is a waiver of such objections, unless excused by the court for good cause shown.

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<sup>1</sup> In accordance with the E-Government Act, counsel shall, on witness lists, exhibits, and other disclosures and/or documents filed with the court, redact social security numbers, home addresses, phone numbers, and other personally identifying information of witnesses, but shall serve an unredacted version on opposing parties. See NECivR 5.0.3.

3. **Motions in Limine.** Any motions *in limine* shall be filed on or before **August 10, 2012**.

4. **The Final Pretrial Conference** with the undersigned magistrate judge is set for **August 17, 2012, at 10:00 a.m.** in chambers, Suite 2271, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska. The final pretrial conference shall be attended by lead counsel for represented parties. Counsel shall complete prior to the pretrial conference, all items as directed in NECivR 16.2.<sup>2</sup> By the time of the pretrial conference, full preparation for trial shall have been made so that trial may begin immediately thereafter. The pretrial conference will include a **discussion of settlement**, and counsel shall be prepared through investigation, discovery and communication with clients and insurers, if any, to discuss fully the subject of settlement, including realistic expectations about liability, obstacles to agreement, offers made, and offers which can be made at the conference. Counsel shall be prepared to make additional offers or proposals for settlement in behalf of their clients at the pretrial conference, and counsel shall be prepared to make or opine on recommendations for further negotiations and conferences.

5. **Trial** is set to commence **at 8:30 a.m. on September 17, 2012**, in Omaha, Nebraska, before the undersigned magistrate judge and a jury. Unless otherwise ordered, jury selection shall be at the commencement of trial.

Dated this 30th day of January, 2012.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge

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<sup>2</sup> All personal information should be redacted from the public version of the order and/or attachments filed with the clerk. **See** NECivR 5.0.3.